

**EXECUTIVE ORDERS, PROCLAMATIONS OF  
GENERAL APPLICABILITY, AND STATEMENTS  
ISSUED BY THE GOVERNOR  
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders, Proclamations of General Applicability, and ceremonial dedications issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

**\* ASIAN PACIFIC AMERICAN ADVOCACY DAY \***

[M13-361]

**WHEREAS**, Asian Pacific Americans constitute the fastest growing ethnic group in the State of Arizona, with an estimated population of 192,000; and

**WHEREAS**, Asian Pacific Americans have contributed significantly to communities throughout the State of Arizona and to the development of Arizona; and

**WHEREAS**, it is important to provide scholarships, health clinics, educational workshops on the path to citizenship, language development, careers, healthy lifestyles, and personal financial management to all Asian Pacific Americans throughout Arizona; and

**WHEREAS**, improved skills, language, finances, legal status and health can lead to improved opportunity and greater contribution to the State; and

**WHEREAS**, adults, students, and organizations advocating for and involved in advancing the social, political, and economic well-being of Asian Pacific Americans deserve to be recognized; and

**WHEREAS**, the Young Believers Gala, organized by OCA Greater Phoenix Chapter, will launch a new era in Asian Pacific American advocacy in the State of Arizona.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 25, 2014 as

**\* ASIAN PACIFIC AMERICAN ADVOCACY DAY \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this sixteenth day of December in the year Two Thousand and Thirteen and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* BIRTH DEFECTS PREVENTION MONTH \***

[M13-359]

**WHEREAS**, the nation's most precious resource is our children. Congenital anomalies or birth defects are a leading cause of death in the first year of life and can be devastating to families and communities; and

**WHEREAS**, every four and a half minutes a baby is born in the United States with a birth defect. Birth defects cause one in a every five infant deaths and lead to \$2.6 billion per year in hospital costs alone in the United States. In Arizona, birth defects account for about 130 infant deaths every year; and

**WHEREAS**, half of all pregnancies are unplanned, contributing to late entry into prenatal care and presenting a barrier to optimal pregnancy management, particularly during the crucial early weeks of embryonic development; and

**WHEREAS**, early identification of a child with a birth defect coupled with early intervention services typically improves the child's quality of life and may even save his or her life; and

**WHEREAS**, strategies to prevent birth defects include taking a multivitamin with folic acid daily, maintaining a healthy weight, having regular checkups, avoiding alcohol and tobacco use during pregnancy, learning about family history and genetic risks, and managing maternal medical conditions while minimizing unnecessary medication exposure in pregnancy; and

**WHEREAS**, the Arizona Department of Health Services (Prevention Services, Newborn Screening and the Birth Defects Monitoring Program) joins with the March of Dimes Arizona Chapter, Arizona Chapter of the American Academy of Pediatrics, the Association of the National Birth Defects Prevention Network, as well as many dedicated volunteers, healthcare professionals, and parent groups by participating in this promotion.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 2014 as

**\* BIRTH DEFECTS PREVENTION MONTH \***

and, I further encourage all citizens to increase awareness, education and services for birth defects, which each year affect thousands of babies in Arizona.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this ninth day of December in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* CONGENITAL HEART DEFECT AWARENESS WEEK \***

[M13-360]

**WHEREAS**, congenital heart defects are the most frequently occurring birth defects and a leading cause of birth defect related deaths worldwide; and

**WHEREAS**, over a million families across America are facing the challenges and hardships of raising children with congenital heart defects, and nearly one million adults in the United States are currently living with a congenital heart defect; and

**WHEREAS**, every year more than 500 babies in Arizona and nearly 40,000 babies in the United States are born with congenital heart defects; and

**WHEREAS**, some congenital heart defects are not diagnosed until months or years after birth, complicating diagnosis and treatment, and causing many cases of sudden cardiac death in young athletes who have not been diagnosed with congenital heart conditions; and

**WHEREAS**, despite these statistics, newborns and young athletes are not routinely screened for congenital heart defects, with a disproportionately small amount of funding available for congenital heart defect research, parent/patient educational services and support; and

**WHEREAS**, Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected

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by congenital heart defects to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

**WHEREAS**, the establishment of Congenital Heart Defect Awareness Week will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about congenital heart defects.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 7 - 14, 2014 as

**\* CONGENITAL HEART DEFECT AWARENESS WEEK \***

and, I further encourage all citizens to increase awareness, education and services for congenital heart defects, which each year affect thousands of babies in Arizona.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this ninth day of December in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**EXECUTIVE ORDER 2012-03**

**State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention**

*Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014, as a notice to the public regarding state agencies' rulemaking activities.*

[M12-226]

**WHEREAS**, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

**WHEREAS**, this rule making review and moratorium process has continued by session law or executive order to this day; and

**WHEREAS**, a predictable regulatory climate in this State will promote job creation and retention; and

**WHEREAS**, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

**WHEREAS**, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

**WHEREAS**, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

**WHEREAS**, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

**WHEREAS**, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

**WHEREAS**, the current regulatory review and moratorium expires on June 30, 2012.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
  - a. To fulfill an objective related to job creation in this State.
  - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
  - c. To prevent a significant threat to the public health, peace or safety.
  - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rulemaking action.
  - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.
  - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
  - g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
  - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person," "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
9. This Executive Order expires on December 31, 2014.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**